



SMOKEFREE

FACT CARD

CONTROL OF TOBACCO PRODUCTS ACT (COTPA) NEW REGULATION 2008

- Effective October 2, 2008, the Indian government will expand the prohibition on smoking in public places and workplaces to protect individuals from the hazards of secondhand tobacco smoke.

As part of this new law, the prohibition on smoking in public places includes:

- Hotels
- Restaurants, coffee houses, pubs, bars, airport lounges, and other like places visited by the general public
- Workplaces
- Shopping malls
- Cinema Halls
- Educational Institutions and Libraries
- Hospitals
- Auditorium, open auditorium, amusement centres, stadium, railway station, bus stop etc.

Compliance:

Individuals in charge of public places and workplaces (i.e., owners, proprietors, managers, supervisors) shall be held responsible for complying with the law by ensuring that:

- No person smokes in the public places covered by the law
- Smoking may be permitted in hotels with 30 rooms or more, restaurants with seating capacity of thirty or more persons, and airports, but only in rooms
 - o that are physically separated and surrounded by full height walls on all sides, have an entrance with automatically an closing door normally kept closed, has an air system that is exhausted directly to the outside and has negative air pressure in comparison to the remainder of the building AND
 - o that are not used for any purpose other than smoking, that is no food or beverage is served and no other service is provided;
- All designated smoking areas are prominently placed away from entrances/exits of buildings
- Signage on smoking restrictions are prominently placed throughout the public places, and follow the guidelines set by the law
- No ashtrays, matches, and lighters are provided in public places

- The name of the person(s) to whom a complaint may be made by anyone who observes others smoking in the public places is displayed in the public places.

- Individuals who do violate the law are reported. Lack of appropriate reporting shall result in a fine impended upon individuals in charge of the designated public place

Penalties:

For individuals not abiding the law (or persons in charge of public places not reporting/enforcing the law), a fine will be issued, and possible criminal sanction.

Enforcement:

Authorized persons responsible for imposing and collecting fines against the violation include those in charge of designated areas. For instance, for:

- Public places: Tax inspectors, health directors, central/state administrator heads, anti-tobacco nodal officers
- Railways: Station leaders
- Government offices: Gazettes officers
- Hospitals: Hospital heads (i.e., directors, superintendents, administration heads)
- Post offices: Post masters
- Private offices/workplaces: Office head (i.e., managers, administration heads)
- Educational institutions: Institution heads (i.e., principals, headmasters, teachers)
- Libraries: Library heads, assistants, and librarians
- Airports: Airport heads (i.e., managers, airport/airline officers)

References for this Fact Card can be sourced from the resources page of this website:
www.secondhandsmokekills.in



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Smoking Will Cost You

National Tobacco Control Program